

INITIATIVE 247

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 247 to the Legislature is a true and correct copy as it was received by this office.

1 AN ACT Relating to imposing tolls or user fees on roads and
2 bridges; adding a new section to chapter 47.46 RCW; adding a new
3 section to chapter 47.56 RCW; adding a new section to chapter 47.80
4 RCW; creating a new section; and repealing RCW 47.58.010, 47.58.020,
5 47.58.030, 47.58.040, 47.58.050, 47.58.060, 47.58.070, 47.58.080,
6 47.58.090, 47.58.500, and 47.58.900.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.46 RCW
9 to read as follows:

10 (1) The use of tolls or user fees derived from any source for the
11 purpose of paying the costs of capital-related improvements, operation,
12 maintenance, upkeep, or restoration of an existing surfaced road or
13 bridge is prohibited under this act or under any other provision of
14 law.

15 (2) The department is prohibited from leasing, franchising, or
16 transferring by any means, to a public or private entity, any portion
17 of an existing surfaced road or bridge that requires the imposition of
18 tolls or user fees derived from any source for the purpose of paying

1 the costs of capital-related improvements, operation, maintenance,
2 upkeep, or restoration of that existing surfaced road or bridge.

3 (3) No past or future agreement or contract negotiated under this
4 chapter or under any other provision of law shall limit or encumber the
5 public's continued lawful two-way toll-free use of any surfaced road or
6 bridge that at any time was operated by the department as a two-way
7 toll-free facility.

8 (4) For the purposes of this section, "surfaced road" includes all
9 publicly owned roads, streets, highways, and roadways, excluding
10 facilities owned or operated by the state ferry system.

11 (5) For the purposes of this section, "department" means the
12 Washington state department of transportation.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.56 RCW
14 to read as follows:

15 (1) Notwithstanding any other provision of law, the use of tolls or
16 user fees derived from any source for the purpose of paying the costs
17 of capital-related improvements, operation, maintenance, upkeep, or
18 restoration of an existing surfaced road or bridge is prohibited under
19 this act or under any other provision of law.

20 (2) For the purposes of this section, "surfaced road" includes all
21 publicly owned roads, streets, highways, and roadways, excluding
22 facilities owned or operated by the state ferry system.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.80 RCW
24 to read as follows:

25 (1) Notwithstanding any other provision of law, regional
26 transportation strategies, regional transportation plans, regional
27 transportation improvement programs, proposed projects, and other
28 transportation plans, guidelines, principles, and studies, as prepared
29 or developed by regional transportation planning organizations under
30 this chapter, shall not contain provisions that require the use of
31 tolls or user fees derived from any source for the purpose of paying
32 the costs of capital-related improvements, operation, maintenance,
33 upkeep, or restoration of any existing surfaced road or bridge.

34 (2) For the purposes of this section, "surfaced road" includes all
35 publicly owned roads, streets, highways, and roadways, excluding
36 facilities owned or operated by the state ferry system.

1 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
2 repealed:

3 (1) RCW 47.58.010 (Improvement of existing bridge and construction
4 of new bridge as single project--Agreement--Tolls) and 1984 c 7 s 288
5 & 1961 c 13 s 47.58.010;

6 (2) RCW 47.58.020 (Examinations and surveys--Preliminary expenses--
7 Financing) and 1984 c 7 s 289 & 1961 c 13 s 47.58.020;

8 (3) RCW 47.58.030 (Construction, operation of bridges--Collection
9 of tolls--Schedule of charges) and 1984 c 7 s 290 & 1961 c 13 s
10 47.58.030;

11 (4) RCW 47.58.040 (Revenue bonds--Form--Sale--Interim bonds--
12 Deposit of proceeds) and 1984 c 7 s 291, 1973 c 106 s 27, 1970 ex.s. c
13 56 s 64, 1969 ex.s. c 232 s 78, 1961 c 102 s 1, & 1961 c 13 s
14 47.58.040;

15 (5) RCW 47.58.050 (Revenue bonds--Expenses includable--Conditions--
16 Remedies of bondholders) and 1984 c 7 s 292 & 1961 c 13 s 47.58.050;

17 (6) RCW 47.58.060 (Bond resolution--Disposition of income and
18 revenues) and 1984 c 7 s 293 & 1961 c 13 s 47.58.060;

19 (7) RCW 47.58.070 (Bonds legal investment for state moneys) and
20 1981 c 3 s 39 & 1961 c 13 s 47.58.070;

21 (8) RCW 47.58.080 (Eminent domain) and 1984 c 7 s 294 & 1961 c 13
22 s 47.58.080;

23 (9) RCW 47.58.090 (Study of projects--Specific authorization of
24 construction and finance) and 1984 c 7 s 295 & 1961 c 13 s 47.58.090;

25 (10) RCW 47.58.500 (Manette bridge--Port Washington Narrows
26 project) and 1961 c 13 s 47.58.500; and

27 (11) RCW 47.58.900 (Chapter provides additional method) and 1961 c
28 13 s 47.58.900.

29 NEW SECTION. **Sec. 5.** This act is to be liberally construed to
30 effectuate the policies and purposes of this act.

31 NEW SECTION. **Sec. 6.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

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